EXHIBIT 4

TRC/MJL 07949-08002

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ALLIANZ GLOBAL RISKS U.S. INSURANCE COMPANY, as subrogee of Buffets Holdings, Inc.,	)	
Plaintiff,	)	No.: 07 C 7149
v.	)	
NOVAK CONSTRUCTION COMPANY, an Illinois corporation.	)	
Defendant.	)	

AFFIDAVIT

I, KRISTEN OTTINGER, being duly sworn upon oath do depose and state as follows:

1. I am the Legal/Property Administrator for Novak Construction.

2. Novak Construction is an Illinois corporation and was so on March 12, 2006.

3. On, before and since March 12, 2006, the principal place of business of Novak Construction was and is Chicago, Illinois.

FURTHER, Affiant sayeth naught.

Kristen Ottinger
Kristen Ottinger
NOVAK CONSTRUCTION

SUBSCRIBED and SWORN to
before me this 14th day of
March, 2008

Madelyn Plaza
Notary Public

Official Seal
Madelyn Plaza
Notary Public State of Illinois
My Commission Expires 10/25/2011